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3        REPRESENTATIVE BERKLEY: -- first  
4 congressional District of Nevada. I wish I was there  
5 with you tonight so we could stand together in  
6 solidarity against this ridiculous project. I have  
7 listened very carefully to the Governor's comments that  
8 I thought were outstanding. Both senators who spoke  
9 eloquently, as they always do, and of course my  
10 colleague Jim Gibbons, and I'm not sure that I can add  
11 much to what has already been said. I'll be submitting  
12 additional testimony, but I think this hearing  
13 represents yet another disingenuous action by the  
14 Department of Energy. If the DOE was serious in its  
15 desire to include the people of Nevada in the  
16 decision-making process, then they would hold these  
17 hearings at a later, more appropriate time, perhaps  
18 following the release of the final environmental impact  
19 statement.

20        Despite the inappropriate timing of these  
21 hearings, it's -- oh, did they not hear any of that?  
22 Okay.

23        Despite the inappropriate timing of these

24 hearings, it's important to address the scientific  
25 shortcomings of the studies to date. The Yucca  
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1 Mountain Preliminary Site Suitability Evaluation  
2 represents the most incredibly optimistic evaluation of  
3 the Yucca Mountain Project. In fact, this document,  
4 not required by law, is being published by the DOE to  
5 try to drum up support for a failing project that has  
6 run into problem after problem. This evaluation is  
7 implausibly optimistic and sanguine in its treatment of  
8 key scientific issues relating to the site. The level  
9 of uncertainty that the DOE claims in its model is  
10 extremely small, while any serious scientific analysis  
11 would require a much larger range of uncertainty.

12 For example, the DOE claims the range of  
13 annual radiation dosage for the individual projection  
14 standard is .08 to point 1 millirem, a range of less  
15 than one order of magnitude. A more honest scientific  
16 evaluation would require a range of plus or minus five  
17 to six orders of magnitude. In this case, the range of  
18 dosage would exceed the EPA standard. The level of  
19 uncertainty that the DOE claims is so ridiculously  
20 narrow that even the Nuclear Regulatory Commission

21 known for their pro-Yucca leanings refuses to grant the  
22 DOE a letter of sufficiency until the problem is  
23 rectified, further complicating the analysis of the  
24 project.

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**550673**

25 The projections made by the DOE are based on  
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1 Environmental Protection Agency guidelines that are  
2 currently being litigated in the courts. At issue is  
3 the bewildering short compliance period of 10,000  
4 years, and a weak millirem standards at extended  
5 distances. This document once again demonstrates how  
6 far we've come from the original idea of the Nuclear  
7 Waste Policy Act. The original act was supposed to  
8 find a geological area with natural barriers that could  
9 contain the waste. This evaluation shows that the DOE  
10 is concentrating on just the opposite, on man-made  
11 structures that may or may not contain the waste. In  
12 fact, the majority of scientific uncertainty in this  
13 document centers on the potential failure of the  
14 man-made waste packages and containment structures. As  
15 a result, the DOE will end up spending, or will have to  
16 spend an astronomical amount of taxpayers' funds to  
17 build an unsafe nuclear waste dump, clouded by

18 uncertainty and held to the lowest possible standards.  
19 Scientific evidence against the proposed Yucca site is  
20 plentiful, but each time legitimate arguments are  
21 raised, standards for Yucca Mountain are changed. In  
22 fact, on three separate occasions, the State of Nevada  
23 has demonstrated, using DOE's own data, that the site  
24 should be disqualified under both the EPA standards and  
25 DOE's own internal site screening regulations, and each  
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1 time the DOE or Congress has changed regulations to  
2 ensure that Yucca Mountain is not disqualified,  
3 regardless of the health and safety consequences to  
4 Nevadans.

5 (APPLAUSE)

6 As a country, we must stop trying to fit a  
7 square peg into a round hole. Instead of trying to  
8 change the rules and dance around the law, we should  
9 immediately begin the decommissioning of the Yucca  
10 Mountain Project. The health and safety of our  
11 community, our country, and our families and the future  
12 of this great nation depends on what we do today, what  
13 we do here this evening. I think the DOE  
14 representatives see firsthand by the people that are in

550673

15 the audience tonight that Nevadans don't want this  
16 project. I don't know how much louder, how much  
17 clearer we can be.

18 (APPLAUSE)

19 We don't want it. Thank you very much.

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